

# KINGDOM COLLEGE

## APPEALS POLICY & PROCEDURE

### QUALIFICATIONS

Kingdom College is committed to providing the highest levels of service to its customers, including employers, training providers and learners. It anticipates that issues or complaints can be resolved through the complaints or enquiries procedures and these procedures will be followed in the first instance. However, where a learner remains dissatisfied having exhausted these procedures, they have recourse to the appeals process.

Kingdom College has and will maintain a robust policy and associated procedure for handling appeals from centres and individual learners. These procedures will ensure that:

- All appeal decisions are taken by individuals who have no personal interest in the decision being appealed
- All appeal decisions are taken by individuals who have appropriate competence
- Appellants are kept informed of the progress of their appeal
- Appeals are dealt with within published timescales
- The specific needs and interests of learners are considered and protected
- Customer facing versions of the appeals policy and procedure are communicated to learners and centres and published using appropriate media
- Every endeavour is made to ensure compliance with relevant legislation and in particular the handling of sensitive data in accordance with the GDPR
- Where an appeal results in the identification of a failure in the assessment process, Kingdom College takes all reasonable steps to identify any other learners affected, correct or mitigate as far as is possible the effect of the failure, and ensure that the failure does not recur
- An appeal may be only made on the grounds that Kingdom College did not apply its procedures consistently, or that its procedures were not followed properly and fairly
- Learners (or a centre on behalf of a learner(s)) undertaking end point assessment with the EPAO may appeal against the grade(s) on receipt of their results.

### RESPONSIBILITIES

- Tutors should make learners aware of the Assessment Appeals Policy during induction.
- Learners should familiarise themselves with the Assessment Appeals Policy and inform their tutor if they are not satisfied with an assessment
- The IAG Team will offer support to learners throughout the appeals procedure
- The Quality Manager and Human Resources will: -
  - Record, track and validate any learner assessment appeal.
  - Forward any appeals to the Awarding Body as appropriate.
  - Keep appeals records for inspection by the Awarding Body for a minimum of 18 months.
  - Will take appropriate action to protect the interests of learners and the integrity of Kingdom College and the qualification or apprenticeship
  - Monitor appeals to inform quality improvements

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- Co-ordinate the arrangements for the Assessment Appeals Panel

### POTENTIAL IMPACT ON EQUALITY, DIVERSITY AND INCLUSIVITY

Kingdom College will ensure all procedures are in line with its Equality Policy and that reasonable adjustments are made, if necessary, to enable a fair process to be adhered to.

Kingdom College Appeals Procedure allow learners and apprentices who are registered at the Centre to challenge the outcome of their assessment at the level of a unit/module/component if they consider that the assessment has not been carried out properly.

Examples of areas where an appeal may be raised are as follows:

- The conduct of assessment
- Opportunities available for assessment
- Opportunities available for re-assessment
- Appropriate coverage of the evidence assessed in terms of national standards and the awarding organisation requirements
- Failure of the assessor to provide assessment agreed in the learner's assessment plan
- Assessment decisions/grades

(Should a learner wish to appeal against a decision made after a complaint has been investigated then please refer to our Complaints Procedure).

Kingdom College in line with its values of fairness and openness, encourages learners to discuss any concerns with the Assessor in the first instance. If they remain dissatisfied, they should follow the appeals procedure outlined below.

Details of any learner appeal should only be discussed with others involved in the appeals process. The learner's confidentiality must be respected at all times. Any enquiry, question or appeal should be made as soon as possible after the assessment decision. An appeal must be made within 10 working days after receiving the assessment results.

### APPEALS PROCEDURE

#### Stage 1 – Tutor/Assessor and Learner

The learner must present the completed appeal form to the Assessor within 10 working days of receiving the assessment result. The form should include details of why they feel that the work has been assessed unfairly, inconsistently or not in accordance with the standards and level required by the Awarding Body. Any evidence or correspondence relevant to the appeal should be attached.

The Assessor will carry out relevant investigations based on the nature of the appeal. There are two possible outcomes: -

- The original assessment decision remains unchanged
- The assessment decision is amended – this could be both up or down.

The Assessor should document the decision with their reasons on the appeal form.

The Assessor will advise the learner of the decision no later than 5 working days after the appeal is

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made. The decision should be documented on the appeal form and a copy of the form given to the learner.

The learner should consider the Assessor's comments and decision and decide whether to accept the outcome of the formal re-assessment. This should be indicated on the appeal form and signed and dated by the learner. The appeal form should be returned to the Assessor within 5 working days of receiving the re-assessment decision.

The appeal form should be passed to the Quality Manager and Human Resources for tracking and monitoring purposes.

If the learner has not accepted the re-assessment decision, the Quality Manager and Human Resources will co-ordinate the move to Stage 2 of the appeals procedure.

### Stage 2 – Lead IQA

Following notification that the learner is still unhappy with the assessment decision, the tutor must give the Lead IQA the following information within two working days of the appeal reaching Stage 2: the original assessment record and learner's evidence, where appropriate; and the written explanation and confirmation of the assessment decision.

The Lead IQA will reconsider the assessment decision, taking the following into account:

- the learner's reason for appeal
- the learner's evidence and associated records
- the assessor's reason for the decision; and
- the opinion of another assessor from the centre.

The Lead IQA must then give the reconsidered decision, in writing, within five working days of receiving the appeal, to both learner and Tutor.

The learner must tell the Lead IQA and confirm in writing if they are still unhappy with the reconsidered assessment decision within five working days of receipt of the decision. If so, the appeal moves to Stage 3.

### Stage 3 – Assessment Appeals Panel

If an assessment appeal remains unresolved at Stage 1 of the procedure, an Assessment Panel will review the appeal. The staff member who conducted the Stage 2 process must send the following details to the Quality Manager and Human Resources or Quality Nominee:

- the written explanation and confirmation of the assessment decision
- the assessment record sheets; and
- any written comments.

Within **ten** working days of receiving the appeal, the Quality Manager and Human Resources will convene an Appeals Panel to hear the appeal. The Appeals Panel will consist of the Quality Manager and Human Resources or Quality Nominee, a subject expert and the senior manager of the department concerned.

The learner may speak to the Appeals Panel and may be accompanied by an adviser\*, and/or make a written submission. The tutor who made the original decision will be asked to attend the Appeals Panel to answer questions.

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The Appeals Panel will then discuss the matter in private and reach a majority decision. All parties will then be informed of the decision. The decision of the Appeals Panel is final, although learners may appeal to the Awarding Body once the internal appeals decision has been completed.

### ESCALATION TO AWARDING BODY

If the learner remains dissatisfied with the decision of the Assessment Panel, the Quality Manager and Human Resources will help facilitate escalation to the relevant Awarding Body.

### GROUP ASSESSMENTS

The appeals procedure should be followed irrespective of whether the assessment is for work completed by an individual or for an assessment as part of a group allocated grade. These additional points should be followed in the case of a group assessment where a shared mark is given.

#### **If the entire group wishes to appeal the assessment decision**

As a group, the procedures detailed above should be followed. If the appeal moves to Stage 1, the group should agree the reasons for appeal and document this on the appeal form. All learners within the group should sign the form.

Whatever the appeal outcome, this will be applied to the assessment decision for all learners in the group.

#### **If an individual(s) within the group wish to appeal the assessment decision**

There may be circumstances where an individual(s) within the group wishes to appeal the assessment decision whilst the rest of the group is satisfied with the assessment and accepts the decision. The individual(s) wishing to appeal the assessment decision should be aware that the appeal decision will be applied to their individual assessment only. They should follow the normal appeals procedure.

Other members of the group will be asked to sign a declaration form to state that they are satisfied and accept the assessment given. This will secure the assessment decision already given to them and will remain unchanged regardless of the outcome of the individual appeal. They will not be able to make an individual appeal at a later date.

Please note learner confidentiality must be respected at all times. In the case of group assessments, the group will be informed that an appeal has been made but it would not be appropriate to disclose details of any individual(s) appeal.

The Centre's Complaints Procedure allows learners and apprentices who are registered at the Centre to challenge an appropriate aspect of the Centre's Operation.

Learners could complain about the following areas:

- Access to assessment
- Process of assessment
- Access to internal verification
- Handling of an Appeal
- Administrative Issues e.g., failure to register

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Assessors/Tutors could complain about the following areas:

- Access to support and guidance
- Access to internal verification
- Administrative issues
- Insufficient time to undertake the function

IQAs could complain to the centre about the following areas:

- Access to support and guidance
- Insufficient time to undertake the function

### **ROLES AND RESPONSIBILITIES**

- Quality Manager and Human Resources is responsible for investigating and reporting complaints and appeals raised within the timescales identified, ensuring this policy is implemented and monitored.
- Lead IQA is responsible for investigating any appeals and reporting outcomes to the Quality Manager and Human Resources within the timescales identified.
- Complainant or apprentice is responsible for reporting concerns, complaints or appeals following this policy within the timescales identified.

### **COMMUNICATION PLAN**

- A copy of this policy will be given to each learner at the start of their programme.
- A copy will be placed on the on-line e-portfolio system for reference.

### **SUGGESTIONS AND COMPLIMENTS**

Your views and feedback are important to us. We would like to hear from you whether or not you are satisfied with our services, this will help us recognise our strengths and weaknesses and therefore make it possible to improve our standards of service.

Complaints, Compliments and Suggestion Forms are available from our administration staff and can also be found in our training rooms. When you have completed the Form, (your name and address is optional,) you can either post in the suggestion box or give to a member of the administration staff. We also provide Evaluation Forms from time to time and Exit Evaluations to help us monitor our services.

Our aim is to respond to any of the above within 10 working days of receiving it. If however, we cannot respond we will notify you of the reason why and give you some idea of when we will reply.

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## REVIEW

This policy will be reviewed on an annual basis or following changes to ESFA or Government updates, as well as statutory guidance in relation to Covid-19 and company risk assessment policies and processes.

**Last Reviewed date:** 01-05-2023

**Next Review Date:** 01-05-2024

Mumtaz Khan, Managing Director

# **APPRENTICESHIP APPEALS POLICY**

## **Scope and Purpose**

This policy applies to all staff at Kingdom College, the apprentice undertaking training through Kingdom College and their employers and managers.

Apprentices, employers and managers are able to raise a concern or complaint and appeal if they are not satisfied with the training and assessment being delivered.

For concerns or complaints related specifically about the terms of the contract between Kingdom College and an external employer there is also a way to raise concerns or complaints that can be addressed through the complaints part detailed in the contract between Kingdom College and the contracting employer.

## **DEFINITIONS**

- Apprentice – an individual who receives apprenticeship training and, where applicable end-point assessment through an apprenticeship framework or standard, funded by the ESFA.
- Apprenticeship – is a job with an accompanying skills development programme
- Centre – this refers to an Kingdom College training centre
- Employer – the organisation that employs the apprentice
- Education and Skills Funding Agency (ESFA) – the national organisation that funds all education in England (not including higher education) including apprenticeships.
- Workplace manager – the direct line manager of the apprentice in the workplace
- Off the job training (planned learning activity) – the training received by the apprentice, during the apprentice's paid hours, for the purpose of achieving their apprenticeship
- Observational Assessor – an occupationally competent member of staff in the workplace who mentors and assesses the apprentice's workplace activity as part of the apprenticeship programme.
- Centre tutor/assessor – this is the main link person that supports, mentors and assessing the apprentices' course work as part of their apprenticeship programme. They will also deliver training in Kingdom College to apprentices during the taught element of off the job training.
- Internal Quality Assurer (IQA) – the lead person in Kingdom College who is responsible for overseeing the quality of the assessment process for the specific apprenticeship programme.
- External Quality Assurer (EQA) – the Awarding Bodies quality assurer for the quality of assessment practice within the mandatory qualification within the apprenticeship programme.

## **PROCEDURE**

Kingdom College seeks to have an open and honest working relationship with the learners and their employers/managers. Regular meetings and discussions where feedback can be given, and



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concerns can be raised with resolutions agreed is seen as the best way to avoid complaints. However, if issues or concerns raised cannot be resolved in this way then the apprentice/employer/manager can raise a complaint using the following process:

- The complainant raises their complaint verbally to a member of the Kingdom College training team.
- Staff member logs complaint onto the complaints and appeals log.
- Where possible, the member of staff or the wider training team seeks to resolve the matter at this stage. This must be undertaken within 2 working days.
- If the complainant is happy with the outcome, then no further action is required, and the outcome recorded on the complaints log.
- If the complainant is not happy with the initial action to resolve their complaint, then they can raise this through a written complaint within 5 working days using the complaints form and sent to the Head of Curriculum & Human Resources.
- The Quality Manager and Human Resources will arrange to meet with the complainant and if applicable, their manager or Education Lead, to discuss the complaint and agreed actions and timescales to resolve the complaint. This meeting will take place within 5 working days.
- A written outline of the discussion agreed actions and timescales will be sent out by the Quality Manager and Human Resources within 2 working days of the meeting Kingdom College will resolve the complaint within the timescale agreed.
- If the complainant is not happy with the outcome of Head of Curriculum & Human Resources' decision, they may contact the national Apprenticeship Helpline (contact details below) if they have any queries, concerns or complaints regarding the apprenticeship training at Kingdom College. (In the first instance please use the complaints procedures) [nationalhelddesk@apprenticeship.gov.uk](mailto:nationalhelddesk@apprenticeship.gov.uk) Telephone: 0800 015 0400 (8am to 10pm, 7 days a week)
- The ESFA also have a complaints process that employers and apprentices can refer to [Complaints about post 16 education and training provision funded by ESFA - GOV.UK](https://www.gov.uk/guidance/complaints-about-post-16-education-and-training-provision-funded-by-esfa)

Kingdom College will maintain an online register showing information about complaints/appeals raised during an academic year, including who raised the complaint, who was involved in the investigation and the outcome.

## CONFIDENTIALITY

All complaints or appeals to Kingdom College will be dealt with confidentially and all information and data relating to the complaint or appeal will be stored securely in accordance with GDPR protocols. Information will only be disclosed to those who have a demonstrable need to have access to it to undertake the investigation into the complaint or appeal.

## COMPLAINT/APPEAL ABOUT RECRUITMENT PROCESS AND OUTCOME

Kingdom College aims to recruit apprentices onto programmes in a fair and transparent way. This will include checking for prior qualifications and experience and ensuring that, as far as is practical person circumstances are taken into account. A clear and equitable



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recruitment process will be followed for all those applying to undertake apprenticeship programmes through Kingdom College. If an applicant is not accepted onto the apprenticeship programme, they have applied for then they are able to appeal and raise a complaint in the following circumstances:

- If they think the process has not been followed as set out in the Kingdom College Employer Engagement Policy.
- If they think they have been discriminated against due to the nationally recognised Protected Characteristics
- If they think that their personal circumstances have not been fully taken into account, including part time working, regular rostered patterns of off duty or suitability of working environment

## **COMPLAINT ABOUT TRAINING PROVISION**

Kingdom College aims to provide high quality training that is:

- Meeting the apprenticeship standard/framework being undertaken
- Planned and delivered by occupationally competent staff who maintain their occupational and educational professional development through regular updates.
- Builds knowledge, skills and behaviours to enable the apprentices to undertake end point assessment (where required).
- Timely marking and return of assignments or other work used to support progression towards end point assessment.
- Provides training study days as planned with minimum disruption.

The apprentice can raise a complaint about the quality of the training being provided where they think it is impacting on their ability to gain the knowledge, skills and behaviours required to enable them to progress in their apprenticeship programme and to timely completion.

This complaints policy also relates to training provision provided by any sub-contractor training such as Functional Skills. The sub-contractor will have a complaints/appeals policy and the apprentices will be provided with this, where applicable.

## **COMPLAINT/APPEAL ABOUT ASSESSMENT OF MANDATORY QUALIFICATION**

Some apprenticeship programmes include a mandatory qualification within it that require regular on the job assessment in the workplace and completion of an online portfolio of assessed evidence. Where this is the case, the apprentices are registered with an awarding body. The awarding bodies maintain a complaints process that is separate to this policy. The awarding body complaints/appeals policy will be given to apprentices at the start of their programme and also placed onto the online e-portfolio system.

## **CENTRE COMPLAINT/APPEAL PROCESS**

An apprentice may raise a complaint/appeal regarding:

- The assessment process, including planning and clear written feedback on progress that helps them complete a high standard of work

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- Timely assessment of submitted work as part of the mandatory qualification
- Appeal against decision on work submitted not passing assessment
- Appeal against decision to remove them from the apprenticeship programme.
- If an apprentice wants to raise a complaint then they should follow the process set out above for complaints.

If an apprentice wants to appeal a decision made regarding assessment or removal from the apprenticeship programme, then they should follow the appeals process set out below.

## APPEALS PROCESS

- Where an apprentice is deemed not to have achieved the required standard of competence as set out in the mandatory qualification assessment criteria, they should write to request a meeting with the Lead internal quality assurer (IQA) for the apprenticeship programme being undertaken.
- The Lead IQA records the appeal on the complaints and appeals log.
- A meeting with the Lead IQA and the apprentice must be held within 5 working days (where off duty permits) or as soon as is practical where off duty means the apprentice is not able to make a meeting in that timescale.
- Following the meeting the Lead IQA will confirm in writing to the apprentice an outline of the discussion and what action the Lead IQA will take to investigate the appeal.
- The Lead IQA will investigate the assessment decision made and respond in writing what activity they undertook to investigate the appeal to the apprentice with their decision on the outcome within 5 working days.
- If the apprentice is satisfied with the outcome, they will reply, in writing, to the Lead IQA to confirm this. If they are not satisfied with the outcome, they are able to escalate their appeal to the Quality Manager and Human Resources within 5 working days of the Lead IQA decision.
- The apprentice must write to the Quality Manager and Human Resources within 5 working days of receiving the written response from the Lead IQA.
- The Quality Manager and Human Resources will undertake further investigation and respond in writing what activity they undertook to investigate the appeal to the apprentice with their decision on the outcome within 5 working days.
- If the apprentice does not accept the Head of Curriculum & Human Resources' decision, then the apprentice may appeal to the awarding body's External Quality Assurer (EQA) who will investigate following the Awarding Body's appeals process.
- Where the apprentice does not accept the EQA decision they may appeal in writing directly to the Awarding Body. If the Awarding Body upholds the apprentices appeal, Kingdom College will make all effort to rectify the error made during the assessment and verification of the apprentices' work to ensure the apprentice is not disadvantaged in completing the apprenticeship programme.

If the appeal decision is not upheld by the Awarding Body and an apprentice has been deemed not to have satisfactorily followed the Awarding Body rules (such as plagiarism) or not completed work to a satisfactory standard the Awarding Body can choose to suspend or remove the apprentice from the mandatory qualification.

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If the apprentice will not be able to complete the mandatory qualification, they will be unable to meet gateway requirements for end point assessment and therefore will be unable to complete the full apprenticeship programme. They will therefore cease undertaking the apprenticeship programme with immediate effect.

## **COMPLAINT/APPEAL ABOUT END POINT ASSESSMENT**

This section only applies to apprentices who are undertaking an apprenticeship standard (not a framework).

The final part of an apprentice's programme is to undertake end point assessment. The Kingdom College training team will work with the apprentices to prepare them for end point assessment, using the guidance provided by the end point assessment organisation (EPAO).

An apprentice may complain about the quality of the end point assessment preparation provided by Kingdom College if they think it did not adequately prepare them to submit written work required e.g., a written portfolio of work, written examinations or workplace observations/interviews.

An apprentice may complain/appeal about the outcome of end point assessment using the EPAO complaints/appeals process and procedure. The apprentices will be given a copy of the EPAO complaints/appeals policy, and a copy will also be on the online e-portfolio system.

## **COMPLAINT ABOUT MEMBER OF CENTRE TRAINING TEAM**

Kingdom College staff are expected to maintain high standards of professionalism at all times, in when in the workplace when assessing apprentices or meeting with apprentices and managers. Standards of professionalism should also extend to the way in which Centre staff respond in writing or when during conversations on the phone.

If an apprentice or their manager is unhappy with the way in which a member of Centre staff has behaved, they are able to raise a complaint following the process outlined above.

## **ROLES AND RESPONSIBILITIES**

- Quality Manager and Human Resource is responsible for investigating and reporting complaints and appeals raised within the timescales identified, ensuring this policy is implemented and monitored.
- Lead IQA is responsible for investigating any appeals and reporting outcomes to the Quality Manager and Human Resources within the timescales identified.
- Complainant or apprentice is responsible for reporting concerns, complaints or appeals following this policy within the timescales identified.

## **COMMUNICATION PLAN**

- A copy of this policy will be given to each apprentice at the start of their apprenticeship programme.
- A copy will be available on the website
- A copy will be placed on the on-line e-portfolio system for reference.

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## SUGGESTIONS AND COMPLIMENTS

Your views and feedback are important to us. We would like to hear from you whether or not you are satisfied with our services, this will help us recognise our strengths and weaknesses and therefore make it possible to improve our standards of service.

Complaints, Compliments and Suggestion Forms are available from our administration staff and can also be found in our training rooms. When you have completed the Form, (your name and address is optional,) you can either post in the suggestion box or give to a member of the administration staff. We also provide Evaluation Forms from time to time and Exit Evaluations so as to help us monitor our services.

Our aim is to respond to any of the above within 10 working days of receiving it. If however, we cannot respond we will notify you of the reason why and give you some idea of when we will reply.

## REVIEW

This policy will be reviewed on an annual basis or following changes to ESFA or Government updates, as well as statutory guidance in relation to Covid-19 and company risk assessment policies and processes.

**Last Reviewed date:** 01-08-2023

**Next Review Date:** 01-07-2024

Mark Simpkins, Chair of the Advisory Board



# APPRENTICESHIP APPEALS POLICY

## APPENDIX A

### Learner Appeals Form 1 (stage 1)

Learners are required to complete this form when making an appeal against the outcomes of an assessment decision and forward to the assessor.

<b>Learner's name</b>			
<b>Date of assessment</b>			
<b>Name of assessor (against whose decision the appeal is being made)</b>			
<b>Nature of the Appeal</b>			
<b>Details of Original Assessment Decision</b>			
<b>Learner's signature</b>		<b>Date</b>	

### To be completed by the assessor

<b>Date of meeting</b>			
<b>Assessor Response</b>			

<b>Assessor's signature</b>		<b>Date</b>	
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<b>Learner's signature</b>		<b>Date</b>	
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## Learner Appeal Form 2 (stage 2)

Learners are required to complete this form to make a formal appeal if they are still dissatisfied after having informally appealed to their assessor.

<b>Course title</b>	
<b>Learner's name</b>	
<b>Learner registration number (if applicable)</b>	
<b>Email address</b>	
<b>Contact number</b>	
<b>Date of assessment</b>	
<b>Date appeal submitted</b>	
<b>Name of assessor (against whose decision the appeal is made)</b>	

Describe the reasons for your appeal as fully as possible. Please include copies of any associated documents (e.g., record of achievement, record of feedback from the assessor involved). Learners should keep a copy of this form).

<b>Type of assessment and nature of the appeal</b>	
<b>Details of original assessment decision</b>	
<b>Learner signature</b>	<b>Date</b>

To be completed by the lead investigator

<b>Name of investigator</b>	
<b>Investigation participants</b>	

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<b>Date of appeal investigation</b>	
<b>Summary of investigation</b>	

<b>Outcome (Tick one only):</b>			
<b>Uphold the original assessment decision</b>			
<b>Offer the learner an opportunity for a re-sit/reassessment free of charge</b>			
<b>Overturn the original decision</b>			
<b>Investigator signature</b>		<b>Date</b>	

